S.B.Criminal Misc. Petition No. 642/2004
(Thakur Ram Vs. Manohari Devi and Ors.)

Date of order : 12.07.2006

HON'BLE MR.H.R.PANWAR,J.

Mr. Kailash Khatri for the petitioner.
Mr. R.S.Gill for the non-petitioners.

Heard learned counsel for the parties.

By the instant criminal misc. petition u/s 482 Cr.P.C., the petitioner has challenged the order dated 14.6.2004 passed by Additional Sessions Judge No.2, Sri Ganganagar Camp Suratgarh (for short 'the revisional court' hereinafter) whereby the revisional court dismissed the revision petition filed by the petitioner against the order dated 5.7.2003 passed by Additional Chief Judicial Magistrate, Suratgarh (for short 'the trial court' hereinafter) whereby the trial court granted maintenance in favour of non-petitioners at the rate of Rs.500/- per month each from the date of application.

I have carefully gone through the order passed by the revisional court as well as by the trial court.

It is submitted by the learned counsel for the

petitioner that the petitioner does not have any agriculture land and his father gave the agriculture land measuring eight bighas to grand sons but not to the petitioner and therefore, the petitioner has no means to pay the maintenance. Though the land is registered in the name of sons of the petitioner, but it is the petitioner who cultivates the land and earns money. Both the courts below have taken note of this fact and by an elaborate order granted maintenance in favour of the non-petitioners. The order granting maintenance cannot be said to be in any manner suffering from any error, illegality or perversity warranting interference under Section 482 Cr.P.C.

The misc. petition lacks merit and is dismissed. Stay petition also stands dismissed.

(H.R.PANWAR), J.

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